

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

THERON O. WILSON, )  
Plaintiff, )  
v. )  
NANCY A. BERRYHILL, )  
Acting Commissioner of Social Security, )  
Defendant. )

No. 3:17-cv-00407  
REEVES/GUYTON

## **ORDER**

This matter is before the Court on the Report and Recommendation filed by United States Magistrate Judge, Bruce Guyton [D. 21]. There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b).

The Court has conducted a thorough review of the record and is in agreement with the Magistrate Judge's findings that substantial evidence supports the weight assigned to the opinion of the consulting examiner, Albert J. Whitaker, Jr., M.D., and that the additional evidence presented is not material. Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation under 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b). It is **ORDERED**, for the reasons stated in the Report and Recommendation, which the Court adopts and incorporates into its ruling, that claimant's motion for summary judgment [D. 16] be **DENIED** and the Commissioner's motion for summary judgment [D. 17] should be **GRANTED**.

## **IT IS SO ORDERED.**

*Pamela J. Gevers*  
UNITED STATES DISTRICT JUDGE